

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)5-32. State Registration for Special Local Needs

1. AUTHORITY. To perform the functions and responsibilities relative to State Registration of pesticides to meet special local needs;

a. including the authority to certify a State (except under the Interim Certification Program, 40 F.R. 40547 (September 3, 1975)) as capable of exercising adequate control to register pesticides to meet special local needs;

b. to sign Federal Register notices indicating an intention to approve State plans (and soliciting public comment) and;

c. to sign Federal Register notices approving State plans pursuant to Section 24(c) of FIFRA, as amended and;

d. to review State registrations of pesticides to meet special local needs and to take action relative thereto, including but not limited to, disapproval of the registration.

2. TO WHOM DELEGATED.

a. The authorities in 1.a. and 1.d. are delegated to the Director, Land and Chemicals Division (LCD).

b. The authority in 1.a. is delegated to the Associate Director, Office of Toxics and Pesticides, LCD.

3. LIMITATIONS.

a. The authorities in 1.b. and 1.c. are reserved to the Regional Administrator.

b. The delegates will forward for review copies of all State plans to the Deputy Assistant Administrator for Pesticide Programs upon receipt. The Regional Administrator will notify the Deputy Assistant Administrator for Pesticide Programs five days prior to signing a Federal Register notice indicating an intention to approve or indicating final approval of a State plan.

c. The authority to prescribe standards for revocation of a State's certification to register pesticides to meet special local needs is reserved to the Administrator. The Regional Administrator, with the concurrence of the Deputy Assistant Administrator for Pesticide Programs, may revoke or suspend the certification of a State to register pesticides to meet special local needs.

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5-32. State Registration for Special Local Needs (cont.)

3. LIMITATIONS (cont.).

d. The authority to prescribe standards relative to the State special local needs registration program pursuant to Section 24(a), FIFRA, is reserved to the Administrator.

e. The Regional Administrator is required to obtain advance concurrence from the Deputy Assistant Administrator for Pesticide Programs prior to initiating a program under this authority. The Deputy Assistant Administrator may waive this requirement for advance concurrence on a selected Regional basis.

4. REDELEGATION AUTHORITY. These authorities may not be redelegated without formal amendment.

5. SUPERSESSSION. Delegations Manual, FIFRA, Regional Delegation 5-32. State Registration for Special Local Needs, 1200 TN RIII-84, (Feb. 15, 1990).

Date 9/30/98

/s/ Thomas C. Voltaggio
W. Michael McCabe
Regional Administrator